IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

-

WRIT PETITION NO : 21561 of 2004

Between:

N.Narsi Reddy S/o.Venkat Reddy
R/o.Ummapuri, Chinthapalli Mandal, Nalgonda District.

... PETITIONER

AND

1 The Executive Engineer (Irrigation and CAD) IB

Division, Nalgonda.
2 The District Collector Nalgonda at Nalgonda.
3 The Chief Planning Officer, District Collector Office,

Nalgonda.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondent No.1 for payment of balance final bill of the work " Conversion of Perculation tank of Ekkuvacheruvu of Polepalli Village, Chinthapalli Mandal, Nalgonda District" is bad, arbitrary, illegal, unjust and unreasonable and consequently direct the respondent to pay the due bill amount (of Rs.1, 06, 000/) to the petitioner by releasing the funds and pass such other order or orders.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court at the admission stage made the following :

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ORDER: -

The petitioner states that he has executed certain works entrusted to him by respondent No.1 and the amounts due therefor have not been paid so far. He seeks a direction to the respondents to sanction and release the said amount.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Irrigation.

3. The question as to whether the petitioner was entrusted with any Government work and if so, the value of the work, the amounts, if any, paid therefor etc., are matters to be verified and ascertained by respondent Nos. 1 to 3. This Court cannot issue any specific and positive direction that a particular amount be paid to the petitioner. However, if the petitioner had already executed the work, it is axiomatic that it shall be paid therefor.

4. The writ petition is accordingly disposed of permitting the petitioner herein to submit a representation to the respondent Nos.1 to 3 within two weeks from today, and on receipt of such representation, the respondent Nos. 1 to 3 shall take appropriate steps in the matter of payment, for the works said to have been executed by the petitioner within two months therefrom. There shall be no order as to costs.

Sd/-

ASSISTANT REGISTRAR

Dated: 30.11.2004

RAR

To

1 The Executive Engineer (Irrigation and CAD) IB

Division, Nalgonda.
2 The District Collector Nalgonda at Nalgonda.
3 The Chief Planning Officer, District Collector Office,

Nalgonda.

4 2 CCs to G.P for Irrigation & Comm.Area Dev., High Court

Buildings, Hyderabad (OUT)

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